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9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN JOSE DIVISION  
12

13 UNITED STATES OF AMERICA,	) No. CR 18-00348 LHK (SVK)
	)
14 Plaintiff,	) JOINT STIPULATION REQUESTING A
	) MODIFICATION OF THE DEFENDANT'S
15 v.	) PRETRIAL RELEASE CONDITIONS;
	) [PROPOSED] ORDER
16 VASILE MEREACRE,	)
	)
17 Defendant.	)
	)

18  
19 The parties respectfully request that the Court modify defendant Vasile Mereacre's pretrial  
20 release conditions to allow him to remain in Toronto, Canada, and travel to the United States as  
21 necessary for his case. The parties are requesting this significant change in the defendant's release  
22 conditions because Customs and Border Protection ("CBP") will not allow the defendant to reside in the  
23 United States.

24 On October 17, 2018, the defendant, who is a Canadian citizen, was arrested in the Southern  
25 District of Florida. Dkt. No. 8. On October 22, 2018, he was released on a \$250,000 personal security  
26 bond with his parents as sureties and a \$100,000 of corporate security bond. *Id.* The defendant also  
27 posted \$25,000 in cash in the Northern District of California. Dkt. No. 21.

28 On June 11, 2019, the Honorable Susan van Keulen granted the parties' stipulation allowing the

1 defendant to travel from the Southern District of Florida to Toronto, Canada to visit his family and  
2 receive medical and dental treatment. Dkt. No. 35. On June 13, 2019, the defendant traveled to  
3 Toronto, and on July 9, 2019, he attempted to return to the United States. However, CBP would not  
4 allow him to return because of the above-captioned criminal case. The defendant informed CBP that he  
5 was being supervised by Gary L. Hackett, Senior Pretrial Services Officer in the Southern District of  
6 Florida. A CBP officer contacted Officer Hackett to confirm his supervision and pending case in the  
7 Northern District of California.

8 On July 9, 2019, the parties notified the Honorable Virginia K. DeMarchi about the defendant's  
9 inability to return to the United States due to CBP's restrictions, and explained that the FBI would obtain  
10 a CBP document known as "significant public benefit parole" that would allow the defendant to return  
11 to the United States. Dkt. No. 37.

12 CBP recently approved the defendant's travel to the United States for purposes of meeting with  
13 his counsel and appearing in court on September 29 and 30, 2019. Despite government counsel's  
14 efforts, CBP will not allow the defendant to live in the United States while his criminal case is pending.  
15 The defendant will travel from Toronto, Canada to San Jose, California on October 22, 2019. He will  
16 return to Toronto on October 30, 2019.

17 For future court appearances, the FBI will be required to seek approval from CBP to parole the  
18 defendant into the United States. Therefore, the parties, after consulting Pretrial Services Officer Allen  
19 Lew, request that the Court modify the defendant's pretrial release conditions as follows:

- 20 1. The defendant shall reside at 2191 Yonge St., Toronto, Canada M4S3H8;
- 21 2. The defendant will report to Pretrial Services as directed; and
- 22 3. Once the defendant's travel document has been approved and issued by CBP, the defendant  
23 shall report in person to Pretrial Services in San Jose, California no later than 24 hours after  
24 his arrival.

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1 SO STIPULATED.

2 DATED: 10/21/19

Respectfully submitted,

3 DAVID L. ANDERSON  
4 United States Attorney

5 */s/ Susan Knight*

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SUSAN KNIGHT  
7 Assistant United States Attorney

8 DATED: 10/21/19

9 */s/ Doron Weinberg*

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DORON WEINBERG  
11 Counsel for Defendant Mereacre

12 **[PROPOSED] ORDER**

13 Based on good cause, IT IS HEREBY ORDERED that the conditions of defendant Vasile  
14 Mereacre's pretrial release are modified as follows:

- 15 1. The defendant shall reside at 2191 Yonge St., Toronto, Canada M4S3H8 during the  
16 pendency of his criminal case, and return to the Northern District of California for all court  
17 appearances.
- 18 2. The defendant shall report to Pretrial Services as directed.
- 19 3. The defendant shall report to in person to Pretrial Services in San Jose, California no later  
20 than 24 hours upon his return to the United States.

21 IT SO ORDERED.

22 DATED:

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HONORABLE NATHANAEL COUSINS  
24 United States Magistrate Judge